

More generally, it is not evident what form of "invisibility" would be manifested in scan data produced by a visible light scanner. If it is "invisible," then it seems it would not appear in such data.

As noted by the Examiner, the sole art applied against claim 3 fails to teach certain of the limitations. The Examiner's provision of such missing limitations is believed to be an impermissible application of hindsight.

If the Examiner believes that claims 1, 2, 4 and 5 can be allowed over the art, in view of the comments about Rathus above, then applicant would be willing to authorize cancellation of claim 3 from this application by Examiner's amendment. (Applicant would then pursue claim 3 in a continuing application.) Failing that, it appears an appeal from the rejections of claims 1-5 will be necessary.

Favorable reconsideration and passage to issuance are solicited.

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PATENT TRADEMARK OFFICE

Phone: 503-885-9699

FAX: 503-885-9880

Respectfully submitted,

DIGIMARC CORPORATION

By


William Y. Conwell
Registration No. 31,943